

IPW



Attorney Docket No. BSCI-006/00US

PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of Michael N. HELMUS et al. Examiner: Unassigned

Serial No.: 10/781,932

Group Art Unit: 1614

Filed: February 20, 2004

Confirmation No.: 9710

For: **BIOMATERIALS FOR ENHANCED HEALING**

---

U.S. Patent and Trademark Office  
Customer Service Window, **Mail Stop Amendment**  
Randolph Building  
401 Dulany Street  
Alexandria, VA 22314

**INFORMATION DISCLOSURE STATEMENT TRANSMITTAL**

Enclosed is an Information Disclosure Statement and accompanying Form PTO/SB/08A for the above-identified patent application.

- ☒ In accordance with 37 C.F.R. §1.97(b), no additional fee for submission of the IDS is required.
- ☐ In accordance with 37 C.F.R. §1.97(c), also enclosed is:
  - ☐ the fee of \$180.00 as set forth in 37 C.F.R. §1.17(p); or
  - ☐ a statement as specified in 37 C.F.R. §1.97(e).
- ☐ In accordance with 37 C.F.R. §1.97(d), a statement as specified in 37 C.F.R. § 1.97(e) and the fee of \$180.00 as set forth in 37 C.F.R. §1.17(p) are also enclosed.
- ☐ Check No. \_\_\_ in the amount of \$\_\_\_ for the total fee is attached.
- ☒ A return receipt postcard is also enclosed.
- ☐ Please charge \$\_\_\_ to Deposit Account No. 50-1283 for the total fee. This paper is being submitted in duplicate.

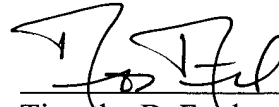
The Director is hereby authorized to charge any appropriate fees under 37 C.F.R. §§1.16, 1.17, and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 50-1283.

Dated: SEPTEMBER 1, 2005

Cooley Godward LLP  
ATTN: Patent Group  
One Freedom Square  
Reston Town Center  
11951 Freedom Drive  
Reston, VA 20190-5656  
Tel: (703) 456-8000  
Fax: (703) 456-8100

Respectfully submitted,  
**COOLEY GODWARD LLP**

By:



Timothy D. Ford  
Reg. No. 47,567



Attorney Docket No. BSCI-006/00US

PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of Michael N. HELMUS et al.      Examiner:      Unassigned  
Serial No.:      10/781,932      Group Art Unit:      1614  
Filed:      February 20, 2004      Confirmation No.: 9710  
For:      **BIOMATERIALS FOR ENHANCED HEALING**

---

U.S. Patent and Trademark Office  
Customer Service Window, **Mail Stop Amendment**  
Randolph Building  
401 Dulany Street  
Alexandria, VA 22314

**INFORMATION DISCLOSURE STATEMENT  
UNDER 37 C.F.R. §1.97(b)**

In accordance with the duty of disclosure set forth in 37 C.F.R. §1.56,  
Applicant(s) hereby submits the following information in conformance with 37 C.F.R.  
§§1.97 and 1.98.

- ☒ Pursuant to 37 C.F.R. §1.98, a copy of each foreign and/or non-patent document cited in the attached Form PTO/SB/08A is enclosed.
- ☐ No copies of the publications listed on the attached Form PTO/SB/08A are being provided pursuant to 37 C.F.R. §1.98(d) because the publications were previously cited by or submitted to the Office in prior Application Serial No. \_\_\_\_ to which the above-identified application claims priority under 35 U.S.C. §120.
- ☒ No copies of any U.S. patents or U.S. patent application publications listed on the attached Form PTO/SB/08A are being provided pursuant to 37 C.F.R. §1.98.
- ☒ Each publication listed on the attached Form PTO/SB/08A was cited in an examination report corresponding to PCT application serial no. PCT/US2005/005244, and mailed on August 4, 2005. Note that this filing is made within one month of the mailing of the search report.
- ☐ Enclosed is a copy of a non-English publication(s) \_\_\_\_\_. Pursuant to §609 of the M.P.E.P., Applicant submits the attached foreign search or examination report, which cites such non-English language publication(s).

- ☐ Enclosed is a copy of a non-English publication(s) \_\_\_\_\_. English language publication \_\_\_\_ (copy enclosed) claims priority from this non-English publication.
- ☐ Enclosed is an explanation of non-English publication(s) \_\_\_\_\_ for which an English translation is not available.
- ☐ Enclosed is an English translation of non-English publication(s) \_\_\_\_\_ cited in the attached Form PTO/SB/08A.
- ☐ Enclosed is a copy of pending patent Application Serial No. \_\_\_\_\_.

This Information Disclosure Statement is filed within any one of the following time periods:

- ☐ within three months from the filing date of this national application other than a CPA under 37 C.F.R. § 1.53(d);
- ☐ within three months from the date of entry of the national stage as set forth in 37 C.F.R. § 1.491 in this international application;
- ☒ before the mailing date of a first office action on the merits; or
- ☐ before the mailing of a first office action after the filing of a request for continued examination under 37 C.F.R. § 1.114.

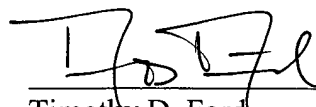
It is respectfully requested that the Examiner consider the above-noted information and return an initialed copy of the attached Form PTO/SB/08A to the undersigned.

Dated: SEPTEMBER 1, 2005

Cooley Godward LLP  
ATTN: Patent Group  
One Freedom Square  
Reston Town Center  
11951 Freedom Drive  
Reston, VA 20190-5656  
Tel: (703) 456-8000  
Fax: (703) 456-8100

Respectfully submitted,  
**COOLEY GODWARD LLP**

By:



Timothy D. Ford  
Reg. No. 47,567



Please type a plus sign (+) inside this box →

+

PTO/SB/08A (08-00)

|   |            |    |   |                          |                   |
|---|------------|----|---|--------------------------|-------------------|
| <b>Substitute for form 1449A/PTO</b><br><br><b>INFORMATION DISCLOSURE<br/>STATEMENT BY APPLICANT</b><br><br>(use as many sheets as necessary) |            |    |   | <b>Complete if Known</b> |                   |
|   |            |    |   | Application Number       | 10/781,932        |
|   |            |    |   | Filing Date              | February 20, 2004 |
|   |            |    |   | First Named Inventor     | Michael N. Helmus |
|   |            |    |   | Group Art Unit           | 1614              |
| Examiner Name   | Unassigned |    |   |                          |                   |
| Sheet   | 1          | of | 1 | Attorney Docket Number   | BSCI-006/00US     |

| U.S. PATENT DOCUMENTS |                          |                      |                                      |   |  |
|-----------------------|--------------------------|----------------------|--------------------------------------|---|--|
| Examiner<br>Initials* | Cite<br>No. <sup>1</sup> | U.S. Patent Document |                                      | Name of Patentee or Applicant of Cited Document | Date of Publication of Cited Document MM-DD-YYYY |
|                       |                          | Number               | Kind Code <sup>2</sup><br>(if known) |   |  |
|                       | A1                       | 2003/0149173         | A1                                   | Rhee et al.                                     | 08-07-2003                                       |
|                       | A2                       | 5,834,029            |                                      | Bellamkonda et al.                              | 11-10-1998                                       |
|                       | A3                       | 5,955,578            |                                      | Pierschbacher et al.                            | 09-21-1999                                       |
|                       | A4                       | 6,120,904            |                                      | Hostettler et al.                               | 09-19-2000                                       |
|                       | A5                       | 6,197,325            | B1                                   | Macphee et al.                                  | 03-06-2001                                       |
|                       |                          |                      |                                      |   |  |
|                       |                          |                      |                                      |   |  |

| FOREIGN PATENT DOCUMENTS |                          |                         |                     |                                      |   |  |                |
|--------------------------|--------------------------|-------------------------|---------------------|--------------------------------------|---|--|----------------|
| Examiner<br>Initials*    | Cite<br>No. <sup>1</sup> | Foreign Patent Document |                     |                                      | Name of Patentee or Applicant of Cited Document | Date of Publication of Cited Document MM-DD-YYYY | T <sup>6</sup> |
|                          |                          | Office <sup>3</sup>     | Number <sup>4</sup> | Kind Code <sup>5</sup><br>(if known) |   |  |                |
|                          | B1                       | WO                      | 98/02189            | A2                                   | Bar Ilan University                             | 01-22-1998                                       |                |
|                          |                          |                         |                     |                                      |   |  |                |
|                          |                          |                         |                     |                                      |   |  |                |

| OTHER – NON PATENT LITERATURE DOCUMENTS |                          |   |                |
|---|--------------------------|---|----------------|
| Examiner<br>Initials*                   | Cite<br>No. <sup>1</sup> | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. | T <sup>2</sup> |
|   | C1                       | International Search Report for International Patent Application No. PCT/US2005/005244, 5 pages.  |                |
|   |                          |   |                |
|   |                          |   |                |

|                       |  |                    |  |
|-----------------------|--|--------------------|--|
| Examiner<br>Signature |  | Date<br>Considered |  |
|-----------------------|--|--------------------|--|

253271 v1/RE

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Unique citation designation number.

<sup>2</sup> See attached Kinds of U.S. Patent Documents.

<sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3).

<sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document.

<sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible.

<sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

<sup>1</sup> Unique citation designation number.

<sup>2</sup> Applicant is to place a check mark here if English language Translation attached.